

**REMARKS**

Claims 1, 19 and 28 have been amended. Support for the amendments may be found throughout the as-filed specification. Applicant believes no new subject matter has been added. Accordingly, claims 1-3, 5-20 and 22-48 are currently pending, of which claims 6, 13, 14, 26, 31, 33, 41-43 and 48 are withdrawn. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

As a preliminary matter, Applicant wishes to thank the Examiner for the indication of allowable subject matter in claims 3, 5, 8-11, 24, 29, 39 and 40.

In addition, Applicant submits that claims 1, 19 and 28 are generic of at least one or more claims in this application. Therefore, upon allowance of claims 1, 19 and 28, Applicant respectfully requests rejoinder of claims 6, 13, 14, 26, 31, 33, 41-43 and 48, which claims include all the limitations of an allowable claim. *See* MPEP § 821.04.

**REJECTION UNDER 35 U.S.C. §102**

I. Claims 1, 2, 7, 12, 15-20, 22, 25, 27, 28, 30, 32, 34-38, and 44-47 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2005/0134815 to Van Santen et al. ("Van Santen"). Applicant traverses this rejection.

Applicant submits that the cited portions of Van Santen fail to teach or disclose a lithographic apparatus comprising, *inter alia*, a liquid supply system configured to supply a liquid to substantially only a localized area of the substrate, of the substrate table, or of both, to at least partly fill a space between the projection system and the substrate, the substrate table, or both, wherein the majority of supplied liquid is confined to the localized area, while in normal use, in a controlled manner and the localized area is less than the area of a surface of the whole substrate, as recited in claims 1 and 28. Similarly, Applicant submits that the cited portions of Van Santen fail to teach or disclose a device manufacturing method comprising, *inter alia*, providing a liquid to substantially only a localized area of a substrate, of a substrate table, or of both, to at

least partly fill a space between a projection system and the substrate, the substrate table, or both ... wherein the majority of supplied liquid is confined to the localized area, while in normal use, in a controlled manner and the localized area is less than the area of a surface of the whole substrate, as recited in claim 19.

For example, paragraph [0017] of Van Santen discloses that "... in use, the immersion liquid is allowed to leak out of the space between the bottom of the barrier member and the substrate and is thereby not constrained in the space." (emphasis added). Further, paragraph [0054] of Van Santen also discloses "[n]o provision is made, for example, during scanning, to seal the space to avoid loss of immersion liquid." (emphasis added). As such, the cited portions of Van Santen do not disclose supplying a liquid to substantially only a localized area of the substrate, of the substrate table, or of both ... *wherein the majority of supplied liquid is confined to the localized area, while in normal use, in a controlled manner, and the localized area is less than the area of a surface of the whole substrate*. Instead, paragraph [0053] of Van Santen discloses that all or most immersion fluid 5 flows out from under the barrier member 10 to cover the substrate W and/or wafer table WT with immersion fluid 5. See also Figure 4 of Van Santen.

By contrast, according to an aspect of Applicant's invention, the majority of supplied liquid is confined to only the localized area, while in normal use, in a controlled manner. And, it is only because, for instance, that liquid containment fails or is ineffective, that liquid might escape from the localized area. [See, e.g., Applicant's Specification, ¶ 6].

Therefore, for at least the above reasons, Applicant submits that the cited portions of Van Santen fail to teach or disclose each and every feature recited by claims 1, 19 and 28. Claims 2, 7, 12, 15-18, 20, 22, 25, 27, 30, 32, 34-38 and 44-47 depend from claims 1, 19 and 28 and are patentable for at least the same reasons provided above related to claims 1, 19 and 28, and for the additional features recited therein. As a result, Applicant respectfully submits that the rejection under 35 U.S.C. §102(e) of

claims 1, 2, 7, 12, 15-20, 22, 25, 27, 28, 30, 32, 34-38, and 44-47 over Van Santen should be withdrawn and the claims be allowed.

II. Claims 19, 22, 23, and 47 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2006/0023181 to Novak ("Novak"). Applicant respectfully traverses this rejection.

Applicant submits that the cited portions of Novak fail to teach or disclose a device manufacturing method comprising, *inter alia*, collecting liquid escaping from the localized area with a barrier, the barrier surrounding and laterally spaced apart from the substrate and comprising a projection which projects out above an upper surface of the substrate when the substrate is held on the substrate table and a groove recessed into an upper surface of the substrate table, as recited in claim 19.

The Office Action argues that:

Figure 2A and paragraphs # 0054 - # 0068 [of Novak] disclose a barrier which collects liquid. The barrier is considered to be the combination of the first recovery system 254 and the second recovery system 256. As shown in figure 2A, this barrier includes a **projection 276** and 270 that projects out above the upper surface of the substrate 20 when the substrate is held on the substrate 20. It is noted that amended claim 19 (unlike claims 20 or claim 25) does not disclose where the projection projects out from.

[Office Action, page 5, emphasis in original].

However, for example, Applicant submits that the cited portions of Novak do not teach or disclose that either the removal chamber 276 or the channel 270 surround and are laterally spaced apart from the substrate. Rather, as shown in Figure 2A of Novak, the channel 270 and the removal chamber 276, for example, are located within the confines of the substrate and thus does not appear to be surrounding and laterally spaced apart from the substrate.

Therefore, for at least the above reasons, Applicant submits that the cited portions of Novak fail to teach or disclose each and every feature recited by claim 19.

Claims 22, 23, and 47 depend from claim 19 and are patentable for at least the same reasons provided above related to claim 19, and for the additional features recited therein. As a result, Applicant respectfully submits that the rejection under 35 U.S.C. §102(e) of claims 19, 22, 23, and 47 over Novak should be withdrawn and the claims be allowed.

### **Conclusion**

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested:

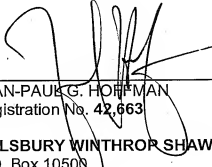
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Date: **November 13, 2009**

Respectfully submitted,

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